

The court has reviewed the record and construed plaintiff's pro se pleadings liberally.

*Haines v. Kerner*, 404 U.S. 519 (1972). This relaxed standard, however, does not relieve his burden of alleging sufficient facts on which a recognized legal claim could be based. *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). Because plaintiff's complaint is meritless, the court is empowered to dismiss the complaint pursuant to 28 U.S.C. § 1915A:

(a) Screening.--The court shall review, before docketing, if feasible or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity.

(b) Grounds for dismissal.--On review, the court shall identify cognizable claims or dismiss the complaint, or any portion of the complaint, if the complaint--

(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or

(2) seeks monetary relief from a defendant who is immune from such relief. . . .

28 U.S.C. § 1915A. *See also Plunk v. Givens*, 234 F.3d 1128, 1129 (10th Cir. 2000) ("§ 1915A applies to all prison litigants, without regard to their fee status, who bring civil suits against a governmental entity, officer, or employee.").

Here, the court finds plaintiff's complaint is both frivolous and malicious. Judges have absolute immunity for their "official adjudicative acts." *Lundahl v. Zimmer*, 296 F.3d 936, 939 (10th Cir. 2002) (citation omitted), *cert. denied*, 538 U.S. 983 (2003). There are only two exceptions to absolute immunity from money damages: actions taken outside the judge's judicial capacity, and actions "taken in the complete absence of all jurisdiction." *Stein v. Disciplinary Bd. of Supreme Ct. of N.M.*, 520 F.3d 1183, 1195 (10th Cir. 2008) (quoting *Mireles v. Waco*, 502 U.S. 9, 9-10 (1991)). Regarding plaintiff's request for a writ of mandamus, federal courts have no supervisory jurisdiction over state courts and are

without authority to direct state courts or their officers to perform their duties. *Van Sickle v. Holloway*, 791 F.2d 1431, 1436 n.5 (10th Cir. 1986). *See also Davis v. Lansing*, 851 F.2d 72, 74 (2d Cir. 1988); *Olson v. Hart*, 965 F.2d 940, 942 (10th Cir. 1992). Plaintiff's complaint clearly is meritless.

**ACCORDINGLY**, this action is, in all respects, **DISMISSED** as frivolous and malicious, pursuant to 28 U.S.C. § 1915A(b)(1). Plaintiff is reminded of his continuing obligation to pay the filing fee, as set forth in the court's order entered on August 13, 2010.

**IT IS SO ORDERED** this 20th day of August 2010.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma